



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Philip R. Andersen, et al.

Art Unit : 1648

Serial No. : 09/963,759

Examiner : Timothy M. Brown

Filed : September 25, 2001

Title : DIAGNOSTIC DEVICE USING GP40

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), IDEXX CORPORATION, certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of an assignment from the inventors of the patent application referenced above. The assignment was recorded in the Patent and Trademark Office at Reel 5288, Frame 0034 on December 8, 1989 also certifies that it is the assignee of U.S. Patent No. 6,383,765.

The undersigned has reviewed all the documents in the chain of title of the above-referenced application and to the best of undersigned' knowledge and belief, title is in IDEXX CORPORATION.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee referenced above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of U.S. Patent No.6,383,765, provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,383,765.

02/10/2005 GUARDOF1 00000020 09963759

01 FC:1814

130.00 0P

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 7, 2005

Date of Deposit

Linda M. White

Signature

Linda M. White

Typed or Printed Name of Person Signing Certificate

Applicant : Philip R. Andersen, et al.
Serial No. : 09/963,759
Filed : September 25, 2001
Page : 2 of 2

Attorney's Docket No.: 00088-008004 / 0092-
CIPCON/U276/670100

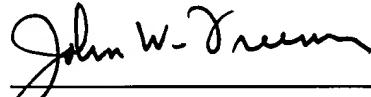
The assignee referenced above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of U.S. Patent No. 6,383,765 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 6,383,765.

This disclaimer runs with any patent granted on the above-referenced application and is binding upon the grantee, its successors or assigns.

Enclosed is a check in the amount of \$130 for the set fee for the patent terminal disclaimer. Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 00088-008004.

Respectfully submitted,

Date: 2/7/2005



John W. Freeman, Esq.
Reg. No. 29,066

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906